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09/451,442	11/30/1999	KENJI MIKAMI	35.C14160	9073

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EXAMINER
JONES, DAVID

ART UNIT	PAPER NUMBER
2622	6

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/451,442	Applicant(s) MIKAMI ET AL.	
	Examiner David L Jones	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed November 30, 1999 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: Fig 2, #210; Fig. 4, #122; Fig. 11, #1108; Fig. 13, #S1308; Fig. 18, #S1805, S1809; Fig. 19, #S1909; Fig. 24, #2301, 2302, 2303, 2304, 2305; Fig. 26, #S2603; Fig. 29, #2902, 2903; Fig. 30, #S3006, S3007. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informalities: Page 9, line 12 and 13 refer to Fig. 2 item 206 as two separate entities.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. Claims 1, 4, 15, 18 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "predetermined period" has no definite period, and has no determination in the specification.

The term "distinguished manner" is unclear as to its reference, there is no basis found in the specification.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-5, 10, 13-20 rejected under 35 U.S.C. 102(e) as being anticipated by Mizuno et al. U.S. Patent 6,426,800.

Regarding claim 1, Mizuno et al. discloses a data processing apparatus comprising: instruction input means for inputting a manual instruction by the operator (Fig. 3, #75); process means for executing a predetermined process based on the input by said instruction input means (Fig. 3, #74); connection means for connection with an external device (Fig. 3, #101 & 78); display means for displaying information based on data received from the external device through said

connection means (Fig. 3, #75); discrimination means for discriminating whether the input by said instruction input means has not been executed for a predetermined period (column 11, lines 30-49); and control means for causing said display means to execute display based on the data received from the external device through said connection means, in case said discrimination means judges that the input by said instruction input means has not been executed for the predetermined period (Fig. 3, #74).

Regarding claim 2, Mizuno et al. discloses a data processing apparatus, wherein the LCD display displays a display image frame different for each process function executed by said process means, and said control means controls the display based on the data received from the external device through said connection means, according to the display image frame for which the information is intended (Fig. 5, column 9, lines 4-18).

Regarding claim 3, Mizuno et al. discloses a data processing apparatus, wherein said display means is adapted to display a display image frame of information based on the data received from the external device through said connection means and an operation image frame for input by said instruction input means (column 10, lines 35-60).

Regarding claim 4, Mizuno et al. discloses a data processing apparatus, wherein said display means is adapted to display, a first display information to be displayed in place for the operation image frame for input by said instruction input means, based on the data received from the external device through said connection means, and a second display information to be displayed in the operation image frame (column 10, lines 35-60).

Regarding claim 5, Mizuno et al. discloses a data processing apparatus, wherein said control means receives data for the information to be displayed by said display means, and

executes reception from the external device through said connection means. It would be inherent that the information received from the external device would flow through the MIB utilizing SNMP (simple network management protocol). Note, that by definition SNMP provides for the communication of status and setup information between a management console and a managed device using values of objects defined in the MIB for the managed object.

Regarding claim 10, Mizuno et al. discloses a data processing apparatus comprising: instruction input means for inputting a manual instruction by the operator (Fig. 3, #75); process means for executing a predetermined process based on the input by said instruction input means (Fig. 3, #74); connection means for connection with an external device (Fig. 3, #78 & 101); display means for displaying information based on data received from the external device through said connection means (Fig. 3, 75); accepting means for accepting a request, from the external device through said connection means, for the display information so set as to be displayed on said display means (column 12, lines 11-29); and transmission means for executing transmission to the external device through said connection means, based on the request accepted by said accepting means (column 12, lines 11-29).

Regarding claim 13, Mizuno et al. discloses a data processing apparatus comprising: process means for executing a predetermined process (Fig. 3, #74); connection means for connection with an external device (Fig. 3, #78); display means for displaying information based on data received from the external device through said connection means (Fig. 4, #1); and control means for limiting the process by said process means based on the data received from the external device through said connection means and displaying such limitation of the process on said display means (column 11, lines 50-65).

Regarding claim 14, Mizuno et al. discloses a data processing apparatus, wherein said control means is adapted to limit the printing process by said process means (column 9, lines 9-14).

Regarding claim 16, Mizuno et al. discloses a control method for a data processing apparatus comprising capable of executing a predetermined process based on a manual instruction by the operator and displaying various information on a display device, comprising: an accepting step of accepting a request, from the external device, for the display information so set as to be displayed on said display device (column 13, lines 28-44); and a transmission step of transmitting the display information to the external device, based on the request accepted by said accepting step (column 14, lines 28-44).

Regarding claim 17, Mizuno et al. discloses a control method for a data processing apparatus capable of executing a predetermined process by a process unit and displaying various information on a display device, comprising: an accepting step of accepting data from an external device (column 13, lines 28-56); a limiting step of limiting the process by said process unit based on the data accepted by said accepting step (column 14, lines 1-10); and a control step of causing said display device to display information indicating the state of said process unit, based on the data received in said accepting step (column 14, lines 1-30).

Regarding claim 18, Mizuno et al. discloses a CPU and a memory section that contains RAM and/or hard disk (column 7, lines 21-27), (Note: commonly known as a computer memory medium, and it would be inherent that it would contain any type of operating programs) which are used for controlling the data processing apparatus capable of executing a predetermined process based on a manual instruction by the operator and displaying various information on a

display device, the program comprising: a reception step of receiving data transmitted from an external device (column 14, lies 31-39); a discrimination step of discriminating whether the input of the instruction by the operator has not been executed for a predetermined period (column 11, lines 30-49); and a control step of causing said display device to execute display information based on the data received in said reception step (column 14, lines 11-30).

Regarding claim 19, Mizuno et al. discloses a CPU and a memory section that contains RAM and/or hard disk which is used for controlling the data processing apparatus capable of executing a predetermined process based on a manual instruction by the operator and displaying various information on a display device, the program comprising: an accepting step of accepting a request, from the external device, for the display information so set as to be displayed on said display device (column 14, lines 11-30); and a transmission step of transmitting the display information to the external device, based on the request accepted by said accepting step (column 18, lines 1-16).

Regarding claim 20, Mizuno et al. discloses a CPU and a memory section that contains RAM and/or hard disk which is used for controlling the data processing apparatus capable of executing a predetermined process based on a manual instruction by the operator and displaying various information on a display device, the program comprising: an accepting step of accepting data from an external device (column 13, lines 28-56); a limiting step of limiting the process by said process unit based on the data accepted by said accepting step (column 14, lines 1-10); and a control step of causing said display device to display information indicating the state of said process unit, based on the data received in said accepting step (column 14, lines 1-30).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 8, 9 rejected under 35 U.S.C. 103(a) as being unpatentable over Mizuno et al.

Regarding claims 8 and 9, Mizuno et al. discloses a memory (column 7, lines 21-27) whereby storage of data can be accomplished and a display with control means, but does not disclose that it would indicate the status of a file and to display different colors depending on the attributes of that file. Although, Mizuno et al. does not discloses the afore mentioned it would be obvious at the time the invention was made by one skilled in the art to include file status and to add color differentiation for file attributes and for information prioritization, thereby delineating the information of each file and the priority of incoming information.

9. Claims 6, 7, 11, 12 rejected under 35 U.S.C. 103(a) as being unpatentable over Mizuno et al. as applied to claim1-5, 10, 13-20 above, and further in view of Harkins et al. U.S. Patent 5,513,126.

Regarding claims 6, 7, 11, 12, Mizuno et al. discloses a control system whereby a plurality of devices can be connected and remotely operated. Mizuno et al. does not disclose the use of any type of email operation, whereas Harkins et al. discloses an email system (column 6, lines 4-22) incorporated within the system. Therefore, it would have been obvious at the time the invention was made to incorporate the device by Mizuno et al. to include the system by Harkins

et al. thereby allowing operation of system to operate through electronic mail data (email) (Note: Emails systems work predominately on SMTP or POP systems).

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hoekstra et al. U.S. Patent 6,304,277 discloses modifying digital image files, involving modifying a low resolution proxy and recording a script which is then applied to the original digital image file. The transfer of a low resolution proxy and/or modification script allows the use of inexpensive, standard data transmission components, allowing successful access to expert services previously only available to those with the costly data transmission components. Kameda U.S. Patent discloses an information processing system, which includes control apparatus for controlling the operation of a plurality of information processing apparatuses. Suzuki et al. U.S. Patent 5,206,687 discloses a color marking apparatus that is controlled such that the recording operations of the apparatus are carried out in a selected order. Jakobs et al. U.S. Patent 5,892,509 discloses an image processing apparatus coupling at least two image-processing systems connected to a network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David L Jones whose telephone number is (703) 305-4675. The examiner can normally be reached on Monday - Friday (6:30am - 3:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (703) 305-4712. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

dlj

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